

MEMO ENDORSED

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July 31, 2007

Via Facsimile (212) 805-7949

Honorable P. Kevin Castel  
United States District Court - Southern District  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Courtroom 12C  
New York, New York 10007

Re: Suntrust Bank v. Trevor Locke, et al.  
Civil Action No.: 07 Civ. 4533 (PKC)  
Our File No.: 4327-227

Dear Judge Castel:

I am writing to you on behalf of the Defendant, Trevor Locke, in connection with the above-referenced matter which on March 9, 2007 was removed to the United States District Court for the Eastern District from the Supreme Court of the State of New York, County of Kings. The case was later transferred by the United States District Court for the Eastern District to the Southern District by the "So Ordered" Stipulation, a copy of which is enclosed.

As you can see from the "So Ordered" Stipulation, it provided for the transfer of this case to the Southern District of New York Bankruptcy Court. This is because the action is related to a Bankruptcy case commenced under Title 11 and Adversary Proceeding pending in the United States Bankruptcy Court, Southern District of New York before the Honorable Robert D. Drain.

Accordingly, it is respectfully requested that pursuant to 28 U.S.C. §157, that the Court refer this action to Judge Drain and that the pre-trial conference scheduled for this Friday, August 3, 2007 at 11:45 a.m. be cancelled or, if necessary, adjourned.

Thank you for your consideration of this letter.

Respectfully,

STUART SIRIS

SS/jl

Enclosure

cc: Greenberg Traurig, LLP

Attn: Daniel Milstein, Esq.

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The conference scheduled for August 3 is vacated.  
The action is referred to United States Bankruptcy Judge Robert D. Drain of this District pursuant to 28 USC §157.  
SO ORDERED  
JSDJ  
7-31-07

Case 1:07-cv-01006-FB-RML Document 6 Filed 05/24/2007 Page 1 of 2

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF NEW YORK

*DFP*  
*CLM*

SUNTRUST BANK AS TRUSTEE UNDER SELF-DIRECTED INDIVIDUAL RETIREMENT AGREEMENT WITH EDWIN V. COOKSEY, M.D. DATED OCTOBER 16, 2003 and SUNTRUST BANK AS TRUSTEE UNDER SELF-DIRECTED RETIREMENT AGREEMENT WITH ALLEN S. LEWIS, M.D. DATED OCTOBER 14, 2003,

Civil Action No.: 07/1006

**STIPULATION**

Plaintiffs,

-against-

TREVOR LOCKE; FREMONT INVESTMENT & LOAN; JUDITH WILSON; SELMA WINSTON, TTEE UAD 4/20/90 BY SELMA WINSTON, REVOCABLE TRUST; NEW YORK CITY DEPARTMENT OF FINANCE; ENVIRONMENTAL CONTROL BOARD OF THE CITY OF NEW YORK, and JOHN DOES 1-200, their heirs, devisees and person representatives and his, their or any of their successors in right, title and interest, the names of the last two-hundred defendants being unknown to plaintiff, the persons or parties intended to be any person in possession of or claiming an interest in or against the property described in the verified complaint, and whose interest may not be protected under applicable emergency rent laws,

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the Plaintiffs and for the Defendant, TREVOR LOCKE, that the above-captioned case be transferred to the Southern District of New York Bankruptcy Court, and specifically to Bankruptcy Judge Robert D. Drain, as related to a pending action therein, pursuant to 28 U.S.C. Section 157.

This stipulation is entered into by the Plaintiffs without prejudice and with reservation of their rights, if any, to seek a remand of this action from the Southern District of New York Bankruptcy Court to the Supreme Court State of New York for Kings County.

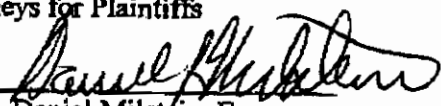
This stipulation is further entered into without prejudice and with a reservation of all rights of the Defendant, TREVOR LOCKE, to oppose to any actions taken by the Plaintiffs to seek to remand this case to such state court.

The parties agree and request that this stipulation be "So Ordered" by the Court.

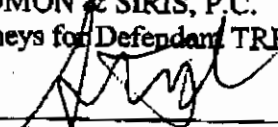
Case 1:07-cv-01006-FB-RML Document 6 Filed 05/24/2007 Page 2 of 2

Dated: May 17, 2007

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Attorneys for Defendant TREVOR LOCKE

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So Ordered: 

s/Frederic Block, Sr. USDJ

Judge Frederic Block  
5/21/07